

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2013-053116

11/13/2014

HONORABLE KRISTIN HOFFMAN

CLERK OF THE COURT  
T. McMillian  
Deputy

IN RE THE MATTER OF  
KIMBERLY A ERATH

KIMBERLY A ERATH  
2844 W WELLS CT  
ANTHEM AZ 85086

AND

JELANI G JONES

JELANI G JONES  
6980 E SAHUARO APT 1044  
SCOTTSDALE AZ 85254

TASC - PHOENIX  
DONNA REID  
10575 N. 114TH ST.  
SUITE 103  
SCOTTSDALE AZ 85259

MINUTE ENTRY

Prior to the commencement of the hearing, Petitioner's Exhibits 1 through 15 were marked for identification.

Courtroom 106 - Northeast Regional Court Center

3:33 p.m. This is the time set for Temporary Orders Hearing re: Mother's Motion for Post Decree Temporary Order Without Notice for Modification of Parenting Time filed on October 21, 2014. Petitioner/Mother is present on her own behalf. Respondent/Father is present on his own behalf.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

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Kimberly Erath and Jelani Jones are sworn.

Kimberly Erath testifies.

LET THE RECORD REFLECT that the Court misstated in the October 21, 2014 minute entry that Father had attended the Betty Ford clinic.

Petitioner's Exhibits 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, and 15 are received into evidence.

Jelani Jones testifies.

Kimberly Erath testifies further.

Jelani Jones testifies further.

Based on matters presented to the Court,

**IT IS ORDERED** as follows on a temporary basis pending the Trial in this matter:

- Father's parenting time shall be temporarily suspended.
- Father and Mother shall engage in counseling as recommended by the Court Appointed Advisor.
- Jaylin Erath (DOB: 8/12/99) shall participate in a mental health assessment for depression with Dr. Leticia G. Jacinto, MD.
- Jaylin shall participate in individual therapy.
- At the Trial on March 16, 2015, Father shall bring from the results of his counseling a recommendation from his counselor as to whether or not Father is ready for therapeutic intervention with Jaylin.

**IT IS FURTHER ORDERED** that Father shall undergo random drug testing on the following basis:

A. Agency. Father's random drug testing shall be conducted at a location of TASC, Inc., the main office of which is at 2234 North 7th Street, Phoenix, Arizona, 602-254-7328. Other locations are listed on the TASC referral form and may be viewed at [www.tascaz.org](http://www.tascaz.org).

B. First Test. Father shall report to TASC no later than **5:00 p.m. today** for his first test.

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C. Scope. Father shall undergo a full spectrum substance and drug test (Screen "A") for each test ordered herein.

D. Cooperation. Father shall cooperate fully as reasonably required by the testing agency to comply with this Order, including:

1. Father shall provide such samples as are reasonably required by the testing agency to comply with this order.

2. Father shall timely report for testing and provide samples as directed by the testing agency.

3. Father shall present photo identification to the testing agency at the time of each test.

4. Father shall sign and deliver such forms of consent, authorization and release of test results as shall be reasonably required by the testing agency to comply with this Order.

E. Cost. Father shall pay the cost of his testing (\$25.00 per test) by money order or cashier's check at the time of testing.

F. Frequency & Duration. Father shall be randomly tested not less than once per month until further Court Order.

G. Positive/Diluted/Missed Test. In the event that Father tests positive on any test, misses a random test or provides a diluted test sample on any test, the cycle and frequency of testing set forth in paragraph F above shall be started again with weekly tests. All parties are advised that the failure, neglect or refusal to participate in testing, or providing a diluted test sample at the time of testing, may be considered an admission by the party that the testing, if properly conducted, would have revealed the use of the substance(s) tested for, which finding is contrary to the best interest of a child. Certain prescription medications may cause a positive drug test result. Parties who are required to drug test are expected to provide proof to the court of prescriptions and documentation from health care providers regarding the lawful possession and use of those medications.

H. Reporting. The parties are hereby advised that test results ARE NOT confidential and will be filed in the Court file upon receipt by the Court. The results of each test shall be reported directly to counsel for both parties, or directly to the parties at the addresses provided by

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the parties to the testing agency, if unrepresented by counsel. The testing agency shall also provide this Court with a Monthly Drug Test Summary Report.

**IT IS FURTHER ORDERED** affirming all current dates with regard to child support:

- Review Hearing before Commissioner Steven Holding on **November 21, 2014 at 9:00 a.m.;**
- Accountability Court before Commissioner Roger Hartsell on **December 2, 2014 at 1:30 p.m.;**
- Simplified Modification Hearing before Commissioner Steven Holding on **January 15, 2015 at 9:00 a.m.;**
- Trial regarding Mother's Petition to Modify 2001 Parenting Time Order on **March 16, 2015 at 9:00 a.m.**

LET THE RECORD REFLECT that Mother handed Father a statement with regard to medical bills for Jaylin in open court.

On the Court's Own Motion,

**IT IS ORDERED** that the Court Appointed Advisor Report dated November 11, 2014 and prepared by Donna Reid shall be filed as a confidential court report.

ISSUED: Court Ordered Substance Abuse Form

4:08 p.m. Matter concludes.

FILED: Court Appointed Advisor Report, Exhibit Worksheet

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.